

City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this special use permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2011-0078

Approved by Planning and Zoning: December 15, 2011

Permission is hereby granted to: Zhijie Xi

to use the premises located at: 5801 Duke Street, Suite C-140

for the following purpose: see attached report

It is the responsibility of the special use permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

12/16/11
Date

Faroll Hamer / Bn
Faroll Hamer, Director
Department of Planning and Zoning

DATE: December 6, 2011

TO: Barbara Ross, Deputy Director
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2011-0078
Administrative Review for New Use
Site Use: Massage Establishment
Applicant: Zhijie Xi
Location: 5801 Duke Street, Suite C-140
Zone: CR / Commercial Regional

Request

Special Use Permit #2011-0078 is a request to operate a new massage establishment in a 1,193 square-foot tenant space in Landmark Mall. The business plans to offer traditional massage and acupuncture services under the trade name of "Stress Away." Up to three massage therapists may operate at any one time, though the applicant expects only approximately five customers per day on average. The hours of operation are proposed to be 10:00am to 9:00pm Monday through Saturday and 10:00am to 6:00pm on Sunday.

Parking

Adequate parking for the use is provided as a part of the Landmark Mall property, which contains over 4,800 parking spaces.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. Staff also sent a letter to the Place One Condominium Association informing that group about this case. Staff has not received any comments from residents or adjacent businesses that would require staff to docket the Special Use Permit for public hearing.

Staff Action

Staff does not object to the applicant's request to operate a new massage establishment in Landmark Mall. The massage establishment proposed will be a relatively small operation, expecting only around five customers each day, and will be located within a large mall well-suited for retail and personal service uses. The hours of operation are also reasonable, and staff has included condition language that will allow additional Sunday evening hours consistent with the rest of the week, so as to provide the applicant additional flexibility. Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: December 15, 2011
Action: Approved



Barbara Ross, Deputy Director

Attachments: 1) Special Use Permit Conditions
2) Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2011-0078

The applicant is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. The hours of operation shall be limited to between 10:00am and 9:00pm daily. (P&Z)
3. No more than three massage therapists shall operate at this establishment at any one time. (P&Z)
4. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&Z)
5. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (P&Z)
6. The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (P&Z) (T&ES)
7. Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am. (T&ES)
8. The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (T&ES)
9. The applicant shall encourage its employees and customers to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (T&ES)
10. The applicant shall contact the Community Relations Unit of the Alexandria Police Department 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees prior to operation. (Police)

11. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements. (P&Z)
12. The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if: (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

R-1 Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am. (T&ES)

C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (TES) (SUP2010-0031)

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form.

C-2 **From Zoning Ordinance; 11-513 (C)**

(C)*General standards for all administrative uses:*

(2) The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (T&ES)

(3) The applicant shall encourage its employees and customers to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (T&ES)

(10) The use must comply with the city's noise ordinance. No outdoor speakers shall be permitted. No amplified sound shall be audible at the property line. (T&ES)

Code Administration:

F-1 No Comment

Recreation, Parks & Cultural Activities:

F-1 No Comment

Health Department:

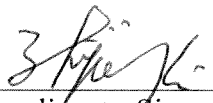
- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are non-transferable.
- C-2 This facility must meet current Alexandria City Code requirements for massage establishments.
- C-3 Permits must be obtained prior to operation.
- C-4 Six sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 4.2, Massage Regulations.
- C-5 All massage therapists must possess a current massage therapist certification issued by the Commonwealth of Virginia in accordance with the Code of Virginia Chapter 599, § 54.1-3029 and must possess a current massage therapist permit issued in accordance with Alexandria City Code Title 11, Chapter 4.2 prior to engaging in any massage activity.

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness program for all employees.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2011-0078. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the massage establishment at 5801 Duke Street Suite C-140.



Applicant - Signature

12-19-2011
Date

ZHIJIE XI

Applicant - Printed

12-19-2011
Date